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134960/98 DIV  
NEC.123 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Allowed: June 30, 2004

Hirofumi Shimomura et al.

Serial No.: 10/721,243

Group Art Unit: 2872

Filing Date: November 26, 2003

Examiner: Mohammad Yunus Sikder

For: OPTICAL SWITCH AND OPTICAL NETWORK

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF PRIORITY DOCUMENT**

Sir:

Applicant respectfully requests that the priority document submitted and filed in the parent application (U.S. Application No. 09/309,768) on May 11, 1999 be officially considered of record.

A Notice of Allowability was issued in the divisional application (U.S. Application No. 10/721,243) on June 30, 2004. However, the Notice of Allowability did not acknowledge that the priority document had been received.

Therefore, Applicant respectfully requests that the Examiner officially acknowledge the priority document submitted on May 11, 1999.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean M. McGinn".

Sean M. McGinn, Esq.  
Registration No.: 34,386

Date: 7/26/04

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SMM/CSS  
REC. 123

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New Application Post Card Filing Receipt and  
Request for Early Notification of Serial Number

Attorney's Docket Number: 134960198

Applicant's Name: Shimomura, H

Patent       Trademark

Application Filing Date 05/11/99

Title: OPTICAL SWITCH AND OPTICAL NETWORK

Papers Filed Herewith:

31 Pages Specification, Claims and Abstract 25 Total Claims 3 Independent Claims

18 Sheets  (Figs. 1-8)  Formal Drawings  Informal Drawings  Priority Document(s)  
 Patent Application Transmittal Sheet  Declaration/Power of Attorney  
 IDS  1449 Form w/ \_\_\_ Documents  Assignment  Recordation Cover  
Other \_\_\_\_\_

Fees Filed Herewith: \$890.00  Check  Charge Deposit Account: \_\_\_\_\_

CK # 2312

SMM/CSS  
REC. 123

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New Application Post Card Filing Receipt and  
Request for Early Notification of Serial Number

Attorney's Docket Number: 134960198

Applicant's Name: Shimomura, H

Patent       Trademark  
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Fees Filed Herewith: \$890.00  Check  Charge Deposit Account: \_\_\_\_\_

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日本特許庁  
PATENT OFFICE  
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて  
る事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed  
in this Office.

出願年月日  
Date of Application:

1998年 5月18日

出願番号  
Application Number:

平成10年特許願第134960号

出願人  
Applicant(s):

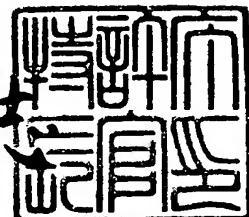
日本電気株式会社

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1999年 2月19日

特許庁長官  
Commissioner,  
Patent Office

伴佐山建



出証番号 出証特平11-3008302